

ARIZONA

Office of the Secretary of State

Annual Report FY '01



January 2002

I am pleased to present this annual report for July 1, 2000 through June 30, 2001. Our office has made many accomplishments over the years and this report reflects the successes from Fiscal Year 2001.

Feel free to contact our office for additional copies of this report at 602-542-4086.

Betsey Bayless
BETSEY BAYLESS
Secretary of State

Secretary of State

Annual Report



*A publication of the
Arizona Secretary
of State's Office*

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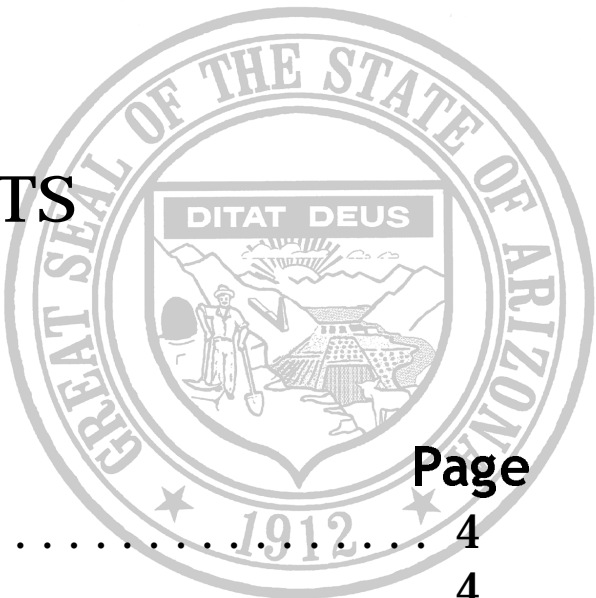
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Voter Outreach Project
Vote Arizona Logo

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AGENCY MISSION STATEMENT

The mission of the Office of the Secretary of State is to carry out its constitutional and statutory mandates which are to receive and record filings from governmental bodies and the general public; to provide election services to counties and candidates for office; to register and certify business transactions; to publish official acts of

the State of Arizona including its chapter laws and rules; to appoint notaries public; and to carry out these mandates in a manner compatible with the requirements and expectations of the constituencies the office serves.

AGENCY DESCRIPTION

The Department of State was created by the constitution and is headed by a publicly elected Secretary of State, who serves as Acting Governor in the absence of the Governor, and succeeds the Governor should a vacancy occur. The Secretary of State is the official keeper of the Great Seal of the State of Arizona.

The Secretary of State's office receives and records various filings, including Uniform Commercial Code transactions, trademark and trade name registrations, charity filings, limited partnership and limited liability partnership filings;

administers election functions, including canvass and certification of state-wide elections, registration of lobbyists and acceptance of periodic lobbyist filings, and campaign finance filings; publishes all official acts of the State of Arizona including Chapter laws, the *Arizona Administrative Code* and the *Arizona Administrative Register*, appoints notaries public, and authenticates notaries public and certain public officials for documents sent to foreign locations.

ADMINISTRATION

MISSION STATEMENT:

To provide guidance, leadership, and support to the staff of the Secretary of State's office.

DIVISION DESCRIPTION:

The administration anticipates the increasing expectations of the public, candidates, elected officials, media, and business community in order to provide timely and efficient filing and retrieval of information through advanced automation.

The Secretary of State's office is responsible for maintaining a record of all official acts of the Governor during the year, and to account for the official acts of the Secretary of State including issuance and attachment of the Great Seal of Arizona to documents that are filed.

The Secretary of State's Office keeps documentation of filings and registrations made within its divisions, as well. Counts of these transactions are tabulated throughout this report where available.

Fast Facts: _____

The Administration Division of the Secretary of State's Office recorded, filed or prepared:

- 352 Extraditions
- 59 Eagle Scout certificates
- 31 Grants of permission to use the State Seal

The Administration Division of the Secretary of State's Office has kept record of the following actions of the Governor:

- 7 Resolutions filed
- 3 Memorials filed

BUSINESS SERVICES

MISSION STATEMENT:

To accept, deny, process and maintain a database and record of all required documents and to make them available to all interested parties.

DIVISION DESCRIPTION:

The Business Services Division exists to centralize state-wide registration of trade names, trademarks, limited partnerships, limited liability partnerships, limited liability limited partnerships, charities, telephone solicitors, contracted fund-raisers, and to perfect Uniform Commercial Code financing statements in an efficient and timely manner for the general public.

Also commissions notaries public for the state and certifies notarizations, rules, and laws.

Fast Facts: _____

The Business Services Division of the Secretary of State's office has recorded applications, and subsequent filings and annual reports in Fiscal Year 2001 to:

- 1,481 Limited Partnerships
- 1,756 Limited Liability Partnerships
- 873 Limited Liability Limited Partnerships
- 517 Foreign Limited Partnerships
- 65 Foreign Limited Liability Partnerships
- 12 Foreign Limited Liability Limited Partnerships

The Administration Division of the Secretary of State's Office has kept record of the following actions of the Governor:

- 7 Resolutions filed
- 3 Memorials filed

The Business Services Division of the Secretary of State's office administers the following number of recorded Limited Partnerships:

- 18,664 Limited Partnerships
- 1,923 Limited Liability Partnerships
- 830 Limited Liability Limited Partnerships
- 105 Foreign Limited Liability Partnerships
- 16 Foreign Limited Liability Limited Partnerships
- 6,049 Foreign Limited Partnerships

In Fiscal Year 2001, the Business Services Division of the Secretary of State's Office filed:

- 657 New Intergovernmental Agreements
- 636 Amendments to Intergovernmental Agreements

BUSINESS SERVICES

Fast Facts Continued:_____

The Business Services Division of the Secretary of State's office currently administers:

- 24,735 Trademarks
- 198,631 Trade names

In Fiscal Year 2001, the Business Services Division of the Secretary of State's office filed the following documents related to Trade name records:

- 19,047 applications
- 4,836 renewals
- 899 amendments
- 897 assignments

The Business Services Division of the Secretary of State's office filed the following documents related to Trademark records:

- 951 applications
- 215 renewals
- 39 amendments
- 96 assignments

The Business Services Division of the Secretary of State's office also administers the following registrations:

- 67,471 Telephone Solicitors
- 1,886 Charities
- 92 Contracted fund raisers

The Business Services Division of the Secretary of State's Office has issued and affixed the Great Seal of Arizona in Fiscal Year 2001 to:

- 18,358 Certificates of Notary Public Appointments
- 11,727 Certificates of Apostilles/Authentication for Notaries Public
- 4,314 Certificates of Authentication

ELECTION SERVICES

MISSION STATEMENT:

The mission of the Election Services Division is to provide professional, courteous service in the administration of campaign finance and lobbyist laws; candidate and ballot filings; training and certification of county recorders and election officials; review and certification of election equipment used by the counties; logic and accuracy tests prior to each election on counties' vote counting devices; and retrieval of filings for the public upon request.

Fast Facts:

During FY 2001, the Election Services Division accepted the following documents for filing or handled the following matters:

- 42 Statements of Organization for Candidate Committees
- 66 Statements of Organization for Non-Candidate Committees
- 157 Amendments to Statements of Organization
- 377 Financial Disclosure Statements filed by Public Officers and Judges and Candidates
- 1178 Candidate Campaign Finance Reports
- 1606 Non-Candidate Political Committee Campaign Finance Reports
- 26 Amendments to Campaign Finance Reports
- 2750 Candidate and Non-Candidate Political Committee Campaign Finance Reports filed under the provisions of the Federal Election Campaign Act
- 3685 Electronic filings of campaign finance reports
 - 2674 Internet
 - 1011 Diskette
- 4 Initiative Petitions filed by the People containing 756 signatures for verification
- 0 Candidates' papers to run for office
- 0 Presidential Electors Nomination Papers
- 49 Clean Election Candidate Application for Certification As A Participating Candidate
- 19,049 Clean Elections Qualifying Contribution Reporting Slips
- 0 Presidential Preference Candidates' Nomination Papers
- Lobbyist Quarterly Reports
 - 3,086 Reminder notices mailed
 - 479 Failure to File letters mailed
 - 228 Names Reported to Attorney General for Failure to File Lobbyist Quarterly Expenditure Reports
- Principal Registrations
 - 892 Initial Registrations filed
 - 280 Amendments to Registration filed
 - 205 Terminations to Principal Registrations filed
- 1,656 Lobbyists paid \$100 Clean Election Fee
- Public Body Registrations
 - 250 Initial Registrations filed
 - 68 Amendments to Registration filed
 - 19 Terminations to Public Body Registrations filed

ELECTION SERVICES

2000 ELECTIONS

The office released statewide election results on the Internet for the fall elections as they were received from the counties. Fourteen of the 15 counties transmitted their results electronically to the Secretary of State's office for the General Election. Vote totals for all races and issues follow.

Besides electing candidates, Arizona voters made decisions on proposed constitutional amendments and statutory initiatives and referendums. Each citizens' measure had to have a minimum number of required signatures to be placed on the November ballot.

The Secretary of State's Office followed statutory procedures to determine whether each measure qualified for the ballot and wrote the descriptive title and effect of a yes or no vote for the ballot.

Fourteen ballot measures appeared on the November 2000 General Election Ballot:

Proposition 100 - proposed amendment to the constitution by the legislature relating to state trust lands and conservation

Proposition 101 - proposed amendment to the constitution by the legislature relating to modernizing language regarding disabilities and voting eligibility in Arizona Constitution

Proposition 102 - proposed amendment to the constitution by the legislature relating to wildlife management

Proposition 103 - proposed amendment to the constitution by the legislature relating to Corporation Commission membership

Proposition 104 - proposed amendment to the constitution by the legislature relating to property tax valuation freeze for eligible seniors

Proposition 105 - proposed amendment to the constitution by the legislature relating to property tax exemption for cemeteries

Proposition 106 - proposed amendment to the constitution by the initiative relating to creation of a redistricting commission

Proposition 108 - proposed amendment to the constitution by the initiative relating to regulation of telephone companies

Proposition 200 - proposed by initiative petition relating to use of tobacco litigation monies for certain healthcare programs

Proposition 202 - proposed by initiative petition relating to local growth management plans

Proposition 203 - proposed by initiative petition relating to English language education in public schools

Proposition 204 - proposed by initiative petition relating to use of tobacco litigation monies for certain healthcare programs

Proposition 300 - recommendation of the commission on salaries for elective state officers relating to legislators' salary

Proposition 301 - referred to the people by the legislature relating to sales tax for education

ELECTION SERVICES

Voter Outreach

The Secretary of State established a pilot voter outreach program to involve the community in voter registration. Based on the success of this pilot program, the Secretary of State obtained approval of the Legislature to establish a permanent position for a Voter Outreach Director. To make registering to vote as easy as possible, the Secretary of State established a toll free Voter Registration Hotline, 1-877-THE VOTE, and a way to request a voter registration form on the Secretary of State's Web site, www.sos.state.az.us.

Outreach projects include the 18th Birthday Card created in partnership with Rock the Vote and Valley Youth Leadership. The card includes a voter registration form and is sent to young people who would turn 18 in time for the fall elections. Posters encouraging voter registration are printed and distributed to voter registration sites at the offices of the Motor Vehicle Division and Department of Economic Security and to community groups. On the Voter Registration deadline, 29 days before each of the municipal elections, the cities of Glendale and Tempe, participated in Vote Arizona drive-by voter registration locations to accept last minute voter registration applications.

Voter registration forms were printed by and made available from the Secretary of State's Office for the first time beginning in April 2000.

Fast Facts:

- During FY 2001 (06-30-00 to 07-01-01), 6,671 voter registration forms were mailed out (33 of those were in Spanish) based on requests received through the Internet request option available on the Secretary of State's Web site.
 - In the fourth quarter of FY 2001 voter registration forms were mailed back to the Secretary of State and forwarded to county recorders. (Prior to this, the office obtained forms from county recorders. The forms would be returned directly to county recorders' offices, eliminating the Secretary of State's opportunity to quantify rate of returns).
 - An average of 4,500 Rock the Vote Birthday Cards were sent monthly to 18 year olds throughout the state along with voter registration forms and instructions. The rate of returned completed forms cannot be determined accurately as a result of this specific targeting.
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ELECTION SERVICES

Citizens Clean Elections Act

Passage of this Act by the voters at the 1998 General Election mandated many new responsibilities for the Secretary of State's Office.

The Clean Elections Act also requires the Secretary of State to develop and distribute software for the reporting of regular campaign finance reports and special reports based upon expenditures made and contributions received by certain candidates.

This software was developed by the office and distributed free of charge upon request and upon the signing of a user agreement developed by the office.

Users are assigned PIN numbers to enable them to file the required reports electronically on diskette or via the Internet.

The Election Services Division also developed new forms and procedures for reporting the names of registered voters who donate \$5 qualifying contributions to candidates and for checking a random sample of those contributors as required by the Act.

Publicity Pamphlet Legislation

In the First Regular Session of the 44th Legislature, legislation was enacted to require the Secretary of State to mail the ballot measures publicity pamphlet to every household with a registered voter.

The publicity pamphlet will now also contain the Commission on Judicial Performance Review evaluations of judges appearing on the ballot for a vote on their retention and a summary of the fiscal impact statement prepared by the Joint Legislative Budget Committee regarding each initiative measure which appears on the ballot.

Fast Facts:_____

- September, 2000 -- 1.6 Million Publicity Pamphlets were mailed to households with a registered voter throughout the state.
- The Publicity Pamphlet was published in an 8 1/2 by 11 inch format. It was distributed in:
 - English (207 pages);
 - Spanish (231 pages);
 - Large print (515 pages); and
 - Translated into the Navajo language on audiotapes distributed by Navajo outreach workers in Coconino, Apache and Navajo counties.

PUBLIC SERVICES

MISSION STATEMENT:

To provide public information, process publication requests, file agency rules, publish the *Arizona Administrative Code* and the *Arizona Administrative Register*, and publish statutorily mandated and other informational publications and documents while serving the public efficiently and professionally.

DEPARTMENT DESCRIPTION:

The Public Services Division files and publishes the rules of the state's agencies in quarterly supplements to the *Arizona Administrative Code* and in the weekly *Arizona Administrative Register*; prepares and prints most of the publications for the Office of the Secretary of State including but not limited to: the state constitution; the residential and the mobile home residential landlord and tenant acts; the *Arizona Notary Public Handbook*; the legislative directory; the *Arizona Blue Book*; numerous other documents, pamphlets, and booklets; and reproduces for public distribution chapter laws as passed by the legislature and signed by the Governor.

The Division maintains both paper and electronic (online) versions of these publications while being produced in-house at sizeable cost savings in taxpayer dollars.

The Public Services Division provides support to other divisions in preparation and printing of publications, office documents and public records, and special projects. The Division processes the mail for the Secretary of State's Office.

The Public Services Division files the notices of the Governor's appointments to the state's boards and commissions; files loyalty oaths for the same, and loyalty oaths of judges and other oaths; and maintains subscriptions to: the Arizona Revised Statutes under A.R.S. § 41-123; Arizona Reports under A.R.S. § 12-108; subscriptions to Chapter Laws; and subscriptions to the *Arizona Administrative Code* and *Register*.

Fiscal Year 2001

FY '01 was a transition year for the Division. New procedures were established for Division responsibilities and publications were enhanced and published electronically under the guidance of the Assistant Director.

Rules

A complete overhaul of the Office's rules on rules was undertaken and proposed rules were filed in FY '01.

PUBLIC SERVICES

Fast Facts: _____

During Fiscal Year 2001, the Division filed and/or published in the *Administrative Register* the following pursuant to the Arizona Administrative Procedure Act:

- 259 Docket Openings
- 149 Proposed Rules
- 13 Supplemental Proposed Rules
- 4 Terminated Rules
- 15 Exempt Rules
- 131 Final Rules
- 5 Emergency
- 3 Recodification of Rules

The Public Services Division of the Secretary of State's Office printed notices of the following:

- 104 Substantive Policy Statements
- 4 Agency Guidance Documents
- 4 Proposed Delegation Agreements
- 4 Final Delegation Agreements
- 5 Agency Ombudsmen
- 12 Governor's Regulatory Review Council (G.R.R.C.) Agendas
- 12 G.R.R.C. Summaries of Action Taken
- 1 Proposed Summary Rules
- 9 County Rules Notices
- 0 Final Summary
- 28 Public Information Notices
- 8 Expired Rules
- 1 Formal Rulemaking Advisory Committee

The total impressions made to produce the *Arizona Administrative Register* for the fiscal year was more than 13,000.

The average page count for the *Arizona Administrative Code* supplements was 4,800 sheets of paper; with a total of 4 million, 937 thousand impressions made.

Reorganization

This fiscal year the staff began to incorporate new procedures to archive and digitize 13 years of Division public records (rules and incorporated by reference material) and Chapter Laws.

Procedures to use rotate paper stock for publications were established to save taxpayer dollars.

The subscriber lists were updated and antiquated names were deleted. Spreadsheets were created and updated with subscriber information to the Arizona Revised Statutes and Arizona Reports.

Plans to create an electronic system to maintain subscriptions are slated for the next fiscal year.

Subscribers maintained:

- 29 Arizona Revised Statutes subscriptions (complete sets and updates)
- 251 Arizona Reports Subscriptions (2 volumes per fiscal year)

PUBLIC SERVICES

Support

The Division supported other Office staff with the design of special projects and reviewing of press releases and media advisories. This FY editors supported the Election, Business Services Division, Computer Services and Administration in a number of projects including but not limited to: review and distribution of press releases, maintenance of press release area of Web page; META tagging of online publications; supporting the Voter Outreach director with the “Don’t Be Silent” campaign, including sending press releases and marketing information; design of the Extreme Voter Guide; posting office publications online; design and pagination of the Election Ballot Proposition Guide; and design of logos and animated gifs for projects and the Secretary of State Web page.

Records Retention

The Division has kept record and made available to the public the following actions of the Governor:

- 13 Executive Orders
- 388 Bills signed into law during the 1st Regular Session of the 45th Legislature

Publications

Most of the publications offered in the Secretary of State’s Office are printed in-house. This FY consistency between publications were established making the publications more user-friendly. The new design will be carried through with all publications into the next fiscal year. All of the publications are available online and design consistency will be carried through when published online.

Fast Facts: _____

The Public Services Division of the Secretary of State’s Office printed:

- 5,200 State and U.S. Constitutions
- 63,400 Mobile Home Parks Landlord and Tenant Acts
- 76,000 Arizona Landlord and Tenant Acts
- 300 Bingo Law
- 1,500 Telemarketing Books
- 17,550 Tradename Books
- 23,000 Notary Handbooks
- 13,000 Partnership Books
- 3,000 Legislative Directory Books
- 48,000 Notary Law Books
- 3,600 Notary 101 Books
- 600 Campaign Finance Books
- 500 Arizona Coloring Books
- 3,000+ Welcome Brochures
- 4,500 State Symbol Cards and Brochures
- 2,000+ Bookmarks

The Public Services Division made available online the Arizona Blue Book. This is the first time this publication has been made available in this format.